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9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12

13 **MARK E. HAMANN,**

14 Petitioner,

15 v.

16 **KEN CLARK, Warden,**

17 Respondent.
18

C 07-06008 TEH (PR)

**DECLARATION OF COUNSEL IN
SUPPORT OF APPLICATION FOR
ENLARGEMENT OF TIME**

19 I, Catherine A. Rivlin, declare under penalty of perjury as follows:

20 I am the California Supervising Deputy Attorney General assigned to handle the above-
21 encaptioned case. I have obtained the appellate file and, recently, the last batch of state habeas
22 corpus records. I was the responsible deputy on the direct appeal and thus have familiarity with the
23 case, issues, and facts. However the press of earlier assigned cases has prevented my devoting
24 substantial attention to this case to date. In the most recent 30 days, while I have been acquiring
25 the last of the record, I have completed respondent's briefs in *People v. Simmons*, A119241, *People*
26 *v. Parker*, A117498, and *People v. Hembree*, A119415, and *People v. Heredia*, H032271, the
27 respondent's supplemental brief in *People v. Kelly*, A117360, a motion in a capital case set for
28 evidentiary hearing, *In re Welch*, 07-08552, a petition for review in *People v. Soria*, H031234, and

Decl. of Counsel in Supp. of Appl. for Enl. of Time

Mark E. Harmann v. Ken Clark, Warden
C 07-06008 TEH (PR)

1 a motion to dismiss in *Payne v. McGrath*, C 07-4712 JSW. I must complete the appellee's brief in
2 *Joseph v. Kane*, 07-15224, before I go out of town for a conference, July 4-14, 2008. I was hoping
3 to also finish this assignment before leaving, but that has not proved possible. I have not attempted
4 to contact petitioner, who is representing himself in this proceeding, because he is incarcerated in
5 state prison and cannot be conveniently reached. For these reasons, I request an additional 30 days,
6 to July 26, 2008, within which to answer or file a responsive pleading in this case.

7 I declare under penalty of perjury of the laws of the State of California and the United
8 States of America that the foregoing is true and correct. Executed at San Francisco, California on
9 June 26, 2008.

10
11 Respectfully submitted,

12 EDMUND G. BROWN JR.
Attorney General of the State of California

13 DANE R. GILLETTE
Chief Assistant Attorney General

14 GERALD A. ENGLER
Senior Assistant Attorney General

15 PEGGY S. RUFFRA
Supervising Deputy Attorney General

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17
18 /s/ Catherine A. Rivlin

19 _____
20 CATHERINE A. RIVLIN
Supervising Deputy Attorney General
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DECLARATION OF SERVICE BY U.S. MAIL

Case Name: *Mark E. Hamann v. Ken Clark, Warden*

No.: **C 07-06008 TEH (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On June 26, 2008, I served the attached:

- 1. APPLICATION FOR ENLARGEMENT OF TIME TO
FILE ANSWER OR RESPONSIVE MOTION;**
- 2. DECLARATION COUNSEL IN SUPPORT OF SUPPORT OF
APPLICATION FOR ENLARGEMENT OF TIME; and 3. ORDER**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Mark E. Hamann
SPN# F -17150
California SATF & State Prison, FB3-243
P.O. Box 5248
Corcoran, CA 93212

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on June 26, 2008, at San Francisco, California.

J. Espinosa

Declarant

/s/ J. Espinosa

Signature